

Date Mailed  
December 16, 1998

BEFORE THE  
PUBLIC SERVICE COMMISSION OF WISCONSIN

Application of SEI Wisconsin, LLC for Authority to Construct and  
Place in Operation a Combustion Turbine Electric Generating  
Facility, Known as the SEI Wisconsin Electric Generating  
Facility to be Located in Wisconsin

9338-CE-100

**NOTICE OF PROCEEDING, INVESTIGATION,  
AND HEARING**

**THIS IS A PROCEEDING** to consider the application of SEI Wisconsin LLC (a subsidiary of Southern Energy, Incorporated) for authority to construct the SEI Wisconsin Electric Generating Facility, a new power plant in the town of Neenah, Winnebago County, Wisconsin. Copies of the application are available for inspection at the Neenah Public Library, Menasha Public Library, at the offices of county clerks of Winnebago County, and at the offices of the city clerk of Neenah and town clerk of Neenah.

The application will be the subject of public hearings. The hearing schedule appears below.

<b>Hearing Schedule</b>	
<b>Hearing Date:</b>	January 5, 1999 1:00 p.m. Testimony of full parties 7:00 p.m. Public testimony Hearings will continue if needed January 6, 1999, 9:00 a.m.
<b>Hearing Location:</b>	Valley Inn 123 E. Wisconsin Avenue Neenah, Wisconsin

**Need for New Generation, Transmission, and Natural Gas Facilities**

SEI Wisconsin LLC and Wisconsin Electric Power Company (WEPCO) are proposing to construct the SEI Wisconsin Electric Generating Facility and the supporting transmission upgrade to maintain adequate and reliable electric service to customers in the southern Fox Valley area of Wisconsin. This project is being proposed pursuant to 1997 Wisconsin Act 204 and the Public Service

Commission's (Commission) 1997 direction that WEPCO build or have built a new power plant to supply approximately 250 megawatts (MW) of new electric generation capacity.

### **Project Location**

The site (Attachment 1) is composed of three parcels of land totaling about 26 acres and straddling Sections 19 and 20 in the town of Neenah in Winnebago County. The transmission line will require upgrading (some poles will have to be replaced) and a short extension from ANR's natural gas pipeline will also be required for the power plant.

### **Project Schedule**

If the Commission approves the application, construction of the power plant and supporting facilities is scheduled to begin in June 1999 and the facilities are expected to be in service by June 2000.

### **Project Review and Approval**

The proposed project needs the approval of the Wisconsin Department of Natural Resources (DNR) as well as the Commission. Commission staff and DNR staff are reviewing the potential environmental impacts of the site. The Commission will approve, modify, or deny the application based on the hearing record in this case. The DNR will issue permits at a later date.

**NOTICE IS HEREBY GIVEN** that the Commission will hold public hearings on January 5, 1999, at 1:00 p.m. and 7:00 p.m. at the Valley Inn in Neenah, Wisconsin. Full parties will present their testimony and be available for cross-examination at the afternoon hearing, and members of the public may testify at the evening hearing. The hearing will continue, if needed, on January 6, 1999, at 9:00 a.m. at the Valley Inn. The room is accessible to people in wheelchairs. Any person with a disability who needs additional accommodations should contact Nancy McGee at (608) 267-7706. Further hearings may continue at times and places designated by the presiding hearing examiner.

The hearing will be to receive evidence related to the application. The evidence will be the record in this case. The record establishes the legal basis for the Commission's final decision on the application. Property owners or any other persons having an interest or concern are urged to attend and participate in the public hearings.

**NOTICE IS FURTHER GIVEN** that full parties shall file an original and 20 copies of their direct and rebuttal testimony with the Commission and shall provide a copy to other full parties. Direct testimony is due in hand **by noon on December 23, 1998**. Rebuttal testimony is due in hand **by noon on January 4, 1999**. Fax filings are due one day earlier than the above date to allow time for copies to be made. Fax filing cover sheets must state "Official Filing" and the number of pages (the limit for fax filing is 20 pages). File by one mode only. Copies of the Commission staff direct testimony may be obtained by calling (608) 267-7915 or by written request to the Electric Division, Public Service

Commission, P.O. Box 7854, Madison, WI 53707-7854, after December 23, 1998. Copies of Commission staff rebuttal testimony may be obtained on January 5, 1999. Refer to docket 9338-CE-100 in your request. Copies will also be available at the hearing. Members of the public who are not full parties do not need to prefile testimony and may testify at the hearing.

**NOTICE IS FURTHER GIVEN** that persons intending to participate as a full party must indicate such interest in writing, referencing docket 9338-CE-100, to Jeffry Patzke, Hearing Examiner, Public Service Commission, P.O. Box 7854, Madison, WI 53707-7854. **A fax number should be furnished.** Even if a person has been included on the mailing list in this docket, full party status must be requested separately subsequent to the issuance of this notice of hearing.

This is a Class 1 contested case under Wis. Stat. § 227.01(3). This is a Type I action under Wis. Admin. Code § PSC 4.10(1). This case requires the preparation of an Environmental Impact Statement (EIS) under Wis. Stat. § 1.11. Persons with questions or comments on the environmental aspects of this case are encouraged to testify and may contact Kenneth Rineer, Public Service Commission, P.O. Box 7854, Madison, WI 53707-7854, or call him at (608) 266-1201. No draft EIS will be prepared. Comments on the final EIS will be accepted until the close of the public hearings. Additional copies of the EIS may be obtained by calling (608) 267-7915.

Please note that the usual 30-day review period between the time that the EIS is available and the date of the hearing has been shortened to 15 days for this proceeding. This shortening of the review period is necessary because of the accelerated schedule for this proceeding required by 1997 Wisconsin Act 204, Section 96(1).

General questions about this matter can be answered by contacting Nancy McGee, Electric Division, at (608) 266-7706 or by e-mail ([mcgeen@psc.state.wi.us](mailto:mcgeen@psc.state.wi.us)). Specific questions about the hearing process can be answered by calling Jeffry Patzke, Hearing Examiner, at (608) 266-7165. To contact SEI Wisconsin, LLC about the proposed project, call Rodney E. Sears at (920) 830-1072.

Dated at Madison, Wisconsin, \_\_\_\_\_

By the Commission.

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Lynda L. Dorr  
Secretary to the Commission